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Attention: Group Art Unit: 2683 Fax: (571) 273-8300

Examiner: TORRES, Marcos L.

UNITED STATES PATENT AND TRADEMARK OFFICE Phone: (571) 272-7926

Pages: Cover + 2 + 29 = 32 Date: November 16, 2005

From: Georgann S. Grunebach Fax: (310) 964-0941

Assistant General Counsel Phone: (310) 964-4615

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deorganh S. Grunebach, Reg. No. 33,179
(Printed Name of Person Signing Certificate)

November 16, 2005 (Date of Signature)

Telephone No. (310) 964-4615

(Printed Name of Person Signing Co

Attorney Docket No. PD-200101

Please find attached Re:

Attention: Commissioner for Patents

Serial No.: 09/661,725

Filing Date: September 14, 2000

> REQUEST FOR STATUS (2 pages with 29 pages of attachment)

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Date: November 16, 2005

eorgann S. Grunebach, Reg. No. 33,179

PATENT PD-200101

Customer No. 020991

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Date:

November 16, 2005

DONALD C.D. CHANG et al.

Group Art Unit:

2683

Serial No.:

09/661,725

Examiner:

TORRES, Marcos L.

Filing Date:

September 14, 2000

For: STRATOSPHERIC-BASED COMMUNICATIONS SYSTEM FOR MOBILE USERS USING ADDITIONAL PHASED ARRAY ELEMENT FOR INTERFERENCE REJECTION

REQUEST FOR STATUS

Mail Stop Amendment Commissioner for Patents P. O. Box 1450 Alexandria VA 22313-1450

Dear Sir:

- A timely response to a non-final Office Action dated October 2, 2003 was mailed with the U.S. Postal Service under the "Express Mail Post Office to Addressee" service on October December 18, 2003.
- 2. A Notice of Abandonment for Applicant's failure to timely file a proper reply to the Office letter dated May 24, 2004 was received by Applicants on May 26, 2004.

Serial No. 09/661,725

Page 2

3. A telephone discussion with Examiner, as well as a follow up response to the Notice of Abandonment was filed via facsimile transmission on July 22, 2004. A copy of the facsimile transmission is provided.

Applicants respectfully requests that the undersigned be provided with the status of the application.

Respectfully submitted

Georgand S. Gruneback Attorney for Applicants

The DIRECTV Group, Inc. RE/R11/A109
2250 E. Imperial Highway
P. O. Box 956
El Segundo CA 90245

Telephone No. (310) 964-4615



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Supervising Examiner: William G. Trost
UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: Mercos L. Torres Supervising Examiner: William G. Tross

Pages: Cover + 26 - 27

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From: Karen L. Lum - Patent Records Coordinator For Georgann S. Grenebach

Assistant General Counsel DIRECTY

Fax: (703) 872-9306 Phone: (703) 305-1478 Phone: (703) 306-5318 Date: July 22, 2004

Phone: (330) 964-4615

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| Controlled Faculture | Controlled Contr ritised to (703) 572-6366 nor for Palarrie, P.C. Be

Please find attached Re:

Inventor: Donald C.D. Chang, et al.

Serial No.: 09/661.725

Filed: September 14, 2000 For: StraticsHeric-Based Communication system for morile users using additional phased Array Element for interfrence rejection

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Supervising Examiner: William G. Trost Pages: Cover + 26 - 27

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Por Georgann S. Grunebach Assistant General Countel DIRECTV

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inventor: Donald C.D. Chang, et al.

Serial No.: 09/661,725

Filed: September 14, 2000 For: STRATOSPHERIC-BASED COMMUNICATION SYSTEM FOR MOBILE USERS USING ADDITIONAL PHASED ARRAY ELEMENT FOR INTERFERENCE REJECTION

Examiner Torres: Per our telephone conversation of June 8, 2004:
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Amendment Transmittal with Certificate of Express Mailing Dated 12/18/2003 Amendment Response Under 37 CFR §1.111 Amended Drawing Appropriately Identified Supplemental Information Disclosure Statement with Fee & Modified Form 1449 Copy of Express Mail Receipt with "in" Date Copy of Return Post Card date Stamped by the PTO Copy of Hughes Electronics Corporation Deposit Account Statement showing payment extracted for IDS Fee of \$180.00

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UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: Marcos L. Torres

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Assistant General Counsel DIRECTV

Date: July 22, 2004

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Karen E. Lum

Date

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Inventor: Donald C.D. Chang, et al.

Serial No.: 09/661,725

Filed: September 14, 2000

For: STRATOSPHERIC-BASED COMMUNICATION SYSTEM FOR MOBILE USERS USING ADDITIONAL PHASED

ARRAY ELEMENT FOR INTERFERENCE REJECTION

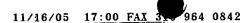
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- > Amendment Transmittal with Certificate of Express Mailing Dated 12/18/2003
- > Amendment Response Under 37 CFR §1.111
- > Amended Drawing Appropriately Identified
- > Supplemental Information Disclosure Statement with Fee & Modified Form 1449
- > Copy of Express Mail Receipt with "In" Date
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- > Copy of Hughes Electronics Corporation Deposit Account Statement showing payment extracted for IDS Fee of \$180.00

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PATENT

Docket No. PD-200101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

tn re Application of: Donald C. D. Chang, et al.

Serial No. 09/661,725

Filed: September 14, 2000

Sir:

For: STRATOSPHERIC-BASED COMMUNICATIONS SYSTEM FOR

MOBILE USERS USING ADDITIONAL PHASED ARRAY ELEMENT

FOR INTER FERENCE REJECTION

:Date: December 18, 2003 :Group Art Unit: 2683

:Examiner: Torres, Marcos L.

AMENDMENT TRANSMITTAL LETTER

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Charge \$ -0- to Deposit Account No. 50-0383 of Hughes Electronics Corporation, El Segundo, California. Please charge any additional fees for claims or credit overpayment to Deposit Account No. 50-0383. If any additional extension fee is required, please charge to Deposit Account No. 50-0383. This form is submitted in triplicate.

> Respectfully submitted Vijayalakshmi D. Duraiswamy, Registration No.: 31 Attorney for Applicant(s),

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Eileen T. Hadeler

Typed or printed name of person

Mailing correspondence

Signature of person

mailing correspondence

CUSTOMER NUMBER 020991 HUGHES ELECTRONICS CORPORATION Patent Docket Administration PO Box 956, RE/R11/ M/S A109 El Segundo, CA 90245-0956 Telephone: (310) 964-0733 Date: December 18, 2003

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(Printed name of person mailing correspondence) (Signature of person mailing correspondence)

Customer No. 020991

PATENT

Docket No. PD-200101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Date: December 18, 2003

Donald C. D. Chang

Serial No. 09/661,725 Group Art Unit: 2683

Filed: 09/14/2000 Examiner: Torres, Marcos L.

STRATOSPHERIC-BASED COMMUNICATIONS SYSTEM FOR MOBILE For:

USERS USING ADDITIONAL PHASED ARRAY ELEMENT FOR

INTERFERENCE REJECTION

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AMENDMENT UNDER 37 CFR § 1.111

NOV 1.6 2005

Mail Stop NON-FEE AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated October 2, 2003, please enter the following amendments and remarks.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Amendments to the Drawings begin on page 7 of this paper and include both an attached replacement sheet and an annotated sheet showing changes.

Remarks/Arguments begin on page 8 of this paper.

An Appendix including amended drawings figures is attached following page 12 of this paper.

Page 1 of 16

Application No. 09/66T, 125
Amendment dated December 18, 2003
Reply to Office Action of October 2, 2003

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) A communications system comprising:

stratospheric platform having a payload controller and a phased array antenna having a plurality of main array antenna elements for generating a plurality of communication beams and a plurality of auxiliary elements for canceling interference between from side lobes of the plurality of the communication beams [[beam]];

a gateway station in communication with said stratospheric platform, said gateway station scaling the plurality of elements to form a plurality of beams and auxiliary element output, said gateway station communicating a control signal to the stratospheric platform to communicate a scaling of elements to form the communication beams and the auxiliary element output.

- 2. (Original) A communications system as recited in claim 1, wherein the payload controller comprises a demultiplexer for receiving control signals.
- 3. (Original) A communications system as recited in claim 2, wherein the demultiplexer generates a plurality of element control signals.
- 4. (Original) A system as recited in claim 3, wherein the element control signals are coupled to an RF feed, the RF feed is coupled to elements of said phased array antenna.

Application No. 09/661,725 Amendment dated December 18, 2003 Reply to Office Action of October 2, 2003

- 5. (Original) A system as recited in claim 1, wherein said auxiliary element output is a function of a direction of the plurality of the communication beams.
- 6. (Original) A system as recited in claim 1, wherein the gateway station comprises a plurality of multiplication gates each having a respective weight, said auxiliary element output being a function of said weight.
- 7. (Original) A system as recited in claim 1, wherein said gateway station further comprises a multiplexer/demultiplexer.
- 8. (Original) A system as recited in claim 7, wherein said multiplexer/demultiplexer comprises a code division multiplexer/demultiplexer.
- 9. (Original) A system as recited in claim 1, wherein said ground station is coupled to a terrestrial network.
- 10. (Original) A system as recited in claim 9, wherein said terrestrial network comprises the Internet.
- 11. (Original) A system as recited in claim 9, wherein the terrestrial network comprises the public service telephone network.

Application No. 09/661, 125

Amendment dated December 18, 2003

Reply to Office Action of October 2, 2003

- 12. (Currently Amended) A communications system, comprising:
- a ground station having;
- a beam generator for generating a plurality of beam control signals,
- a digital beam former circuit receiving the beam control signals and generating a plurality of first element control signals for generating communication beams and a plurality of auxiliary element control signals for canceling interference from the <u>side</u> lobes of the communication beams,
 - a multiplexer multiplexing the first element control signals, and
- an RF subsystem for communicating an RF signal corresponding to the first element control signals and the auxiliary element control signals;
 - a stratospheric platform having;
 - a payload receiver for receiving the RF signals,
- a demultiplexer demultiplexing the RF signals into a second plurality of element control signals corresponding to the first element control signals and a second plurality of auxiliary element control signals and generating a plurality of communication beams in response to the second plurality of element control signals and a plurality of auxiliary element outputs in response to the second plurality of auxiliary element control signals.

17:02 FAX 964 0842 Application No. 09/661, 125

Amendment dated December 18, 2003 Reply to Office Action of October 2, 2003

- 13. (Original) A system as recited in claim 12, wherein said ground station comprises a gateway station.
- 14. (Original) A system as recited in claim 12, wherein said ground station is coupled to a terrestrial network.
- 15. (Original) A system as recited in claim 14, wherein said terrestrial network comprises the internet.
- 16. (Original) A system as recited in claim 15, wherein the terrestrial network comprises the public service telephone network.
- 17. (Original) A system as recited in claim 12, wherein the gateway station comprises a plurality of multiplication gates each having a respective weight, said auxiliary element output being a function of said weight.
- 18. (Currently Amended) A method of controlling a communications system having a stratospheric platform with a phased array antenna with a plurality of main array elements and a plurality of auxiliary elements, said method comprising the steps of:

forming a plurality of communication beams in a gateway station by scaling a plurality of elements;

forming a plurality of auxiliary element outputs as a function of the plurality of the communication beams by forming auxiliary element control signals;

Application No. 09/661, /25
Amendment dated December 18, 2003

Reply to Office Action of October 2, 2003

communicating the scaling of elements and the auxiliary element control signals to a stratospheric platform; and

generating the communication beams in response to the scaling of elements by the stratospheric platform; and

generating the auxiliary element outputs in response to the auxiliary element control signals by the stratospheric platform so that side lobe interference from the communication beams is reduced.

19. (Original) A method as recited in claim 18 wherein said step of forming a plurality of auxiliary element outputs comprises the step of weighting the auxiliary element control signals.

Application No. 09/661, 125
Amendment dated December 18, 2003
Reply to Office Action of October 2, 2003

Amendments to the Drawings:

The attached two sheets of drawings includes changes to Figs. 1 and 4. The first sheet, which includes Fig. 1, replaces the original sheet including Fig. 1. The second sheet which includes Figs. 3 and 4, replaces the original sheet including Figs. 3 and 4. In Fig. 1, previously omitted "F" after reference numeral "16" has been added. In Fig. 4, previously omitted reference numeral "78" has been added and "ANTENNNA" has been corrected to read --ANTENNA--.

Attachment: Replacement Sheets (2)

Annotated Sheets Showing Changes (2).

Application No. 09/661, /25 Amendment dated December 18, 2003 Reply to Office Action of October 2, 2003

REMARKS/ARGUMENTS

Applicants wish to thank the Examiner for considering the present application.

In the Office Action dated October 2, 2003, claims 1-19 are pending in the application. Applicants respectfully request the Examiner for reconsideration.

Two figures have been amended. In Fig. 1, "F" has been added after reference numeral "16". See page 6, lines 9 and 10 stating that a "plurality of user terminals 16M and 16F are used to illustrate mobile users and fixed users, respectively". In Fig. 4, the previously omitted reference numeral "78" has been added and "ANTENNA" has been corrected to read "ANTENNA". See page 10, lines 11-14, including the reference to "main array antenna elements 78".

Claims 1, 5, 9-11, and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Gross* (6,507,739) in view of *Yeh* (4,085,368).

Claim 1 is directed to a communications system that includes a stratospheric platform that has a payload controller and a phased array antenna that has main array elements and auxiliary elements for canceling interference. Claim 1 has been amended to clarify that the interference canceling is between side lobes of the plurality of communication beams. The *Gross* reference teaches an aircraft 210 that provides communication channels to cellular communication units. The *Yeh* reference teaches an apparatus for canceling interference for a phased array antenna that uses an auxiliary array of phased array antennas so that an air signal is derived which is fed back to circuitry which modifies at least one signal received by the auxiliary array. Side lobe interference is described in the background of the *Yeh* reference which

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describes disadvantages of prior systems. Thus, it appears that the Yeh reference teaches away from side lobe interference cancellation due to the disadvantages listed in the background.

Claim 1 also recites that the gateway station scales a plurality of elements to form a plurality of beams and auxiliary output. The gateway station communicates a control signal to the stratospheric platform to communicate a scaling of elements to form the communication beams and the auxiliary element output. The gateway station is not taught or suggested in the Yeh reference. Applicants therefore respectfully request the Examiner to reconsider claim 1.

Claims 5 and 9-11 are further limitations of claim 1 and are believed to be allowable for the same reasons set forth above.

Claim 18 has also been amended to recite the step of generating the auxiliary element outputs in response to the auxiliary element control signal by the stratospheric platform so that the side lobe interference from the communication beams is reduced. Applicants respectfully submit that this claim is also allowable for the same reasons set forth above.

Claims 2-4 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Gross in view of Yeh as applied to claims 1, 5, 9-11, and 18 above, in further view of Khalifa (6,526,288).

Claims 2, 3, and 4 are further limitations of claim 1. The Examiner states that the *Khalifa* reference teaches a demultiplexer. A demultiplexer is taught in the *Khalifa* reference. However, the *Khalifa* reference does not teach that the payload controller comprises a demultiplexer. Further, the *Khalifa* reference does not teach or

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suggest the elements missing from the other two references as described above with respect to claim 1.

Further, the *Khalifa* reference does not teach or suggest the use of a phased array antenna. Claims 3 and 4 are related to a phased array antenna in that claim 3 recites a "plurality of element control signals" and claim 4 recites "the RF feed is coupled to the elements of the phased array antenna." Thus, these elements are not taught or suggested in the *Khalifa* reference. Applicants therefore respectfully request the Examiner to reconsider claims 2-4.

Claims 7 and 8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Gross* in view of *Yeh* in further view of *Chang* (6,380,893). Claims 7 and 8 are further limitations of claim 1. The *Chang* reference does not teach or suggest the missing elements described above with respect to claim 1. Therefore, Applicants respectfully request the Examiner to reconsider the rejection of claims 7 and 8.

Claims 12-16 stand rejected under 35 U.S.C.§103(a) as being unpatentable over *Gross* in view of *McWhirter* (4,727,503) in further view of *Howard* (5,715,516), in further view of *Chang*.

Claim 12 describes a communication system that has a ground station that has a beam generator, a digital beam former circuit, a multiplexer, and an RF subsystem. Claim 12 further recites a stratospheric platform that has a payload receiver and a demultiplexer. The digital beam former circuit generates first element control signals for generating communication beams and a plurality of auxiliary element control signals for canceling interference from the side lobes of the communication beams. The McWhirter reference does not teach or suggest that the beam former is in a

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ground station and the first element control signals and the auxiliary element control signals are communicated to a stratospheric platform. Further, the *Howard* reference also fails to teach or suggest the use of a stratospheric platform and a ground station communicating first element control signals and auxiliary element control signals to the stratospheric platform.

The Chang reference teaches a stratospheric platform, however, no teaching or suggestion is provided in the Chang reference for grouping the elements into a set having an auxiliary element control signal that is used to cancel the interference in the side lobe of the communication beams. Although the Chang reference teaches different groupings, no grouping is provided for canceling side lobes of the communication beams. The Chang reference is directed to a wave front projection beam former.

Furthermore, there is no teaching or suggestion for forming the combination of references set forth by the Examiner. The Examiner states that the motivation is to reduce interference and enhance transmission and reception quality. Applicants respectfully submit that none of the references teaches or suggests the combination of a ground station that generates first element control signals and auxiliary element control signals and a stratospheric platform that uses the auxiliary element control signals to cancel interference from the side lobes of the communication beams. Applicants respectfully request the Examiner to reconsider claims 12-16.

Claims 6, 17, and 19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Gross* in view of *McWhirter* in further view of *Howard* in view of *Chang*, in further view of *Ide* (6,556,845). Applicants respectfully submit that the *Ide*

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reference does not teach or suggest the elements missing from claim 12. Applicants therefore respectfully request the Examiner to reconsider claims 6, 17, and 19

In light of the above amendments and remarks, Applicants submit that all rejections are now overcome. Applicants have added no new material to the application by these amendments. The application is now in condition for allowance and expeditious notice thereof is earnestly solicited. Should the Examiner have any questions or comments which would place the application in better condition for allowance, he is respectfully requested to call the undersigned attorney.

Respectfully submitted,

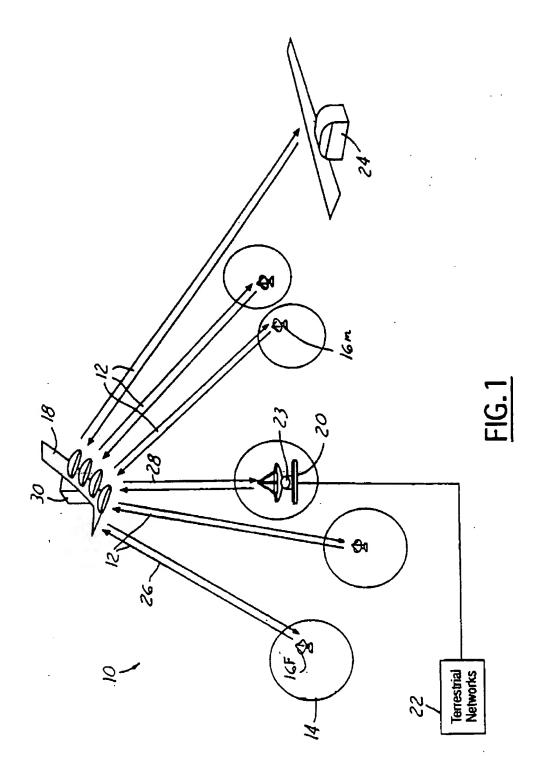
Vijayalakshmi D. Duraiswamy

Reg. No. 31,505

Date: December 18, 2003

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Telephone: (310) 964-0733



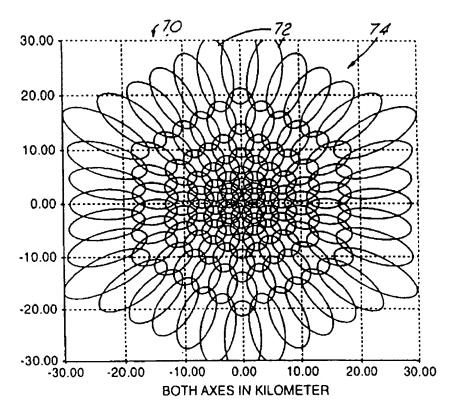
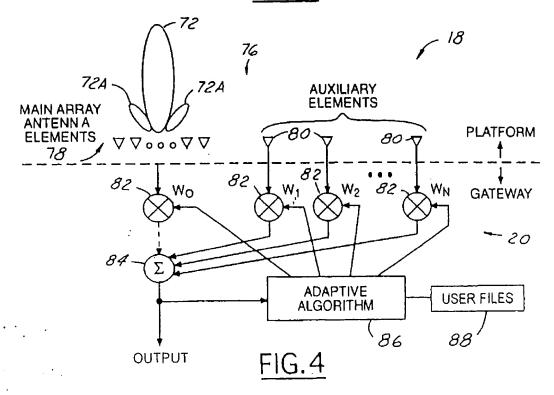
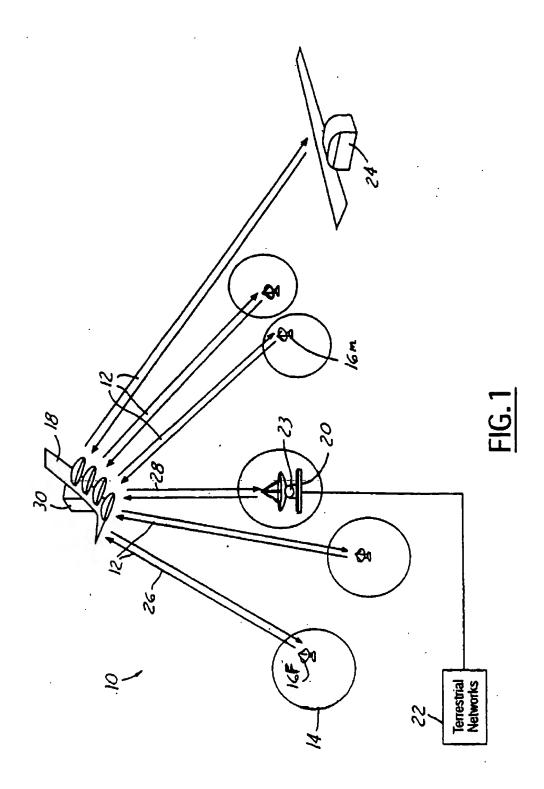


FIG.3





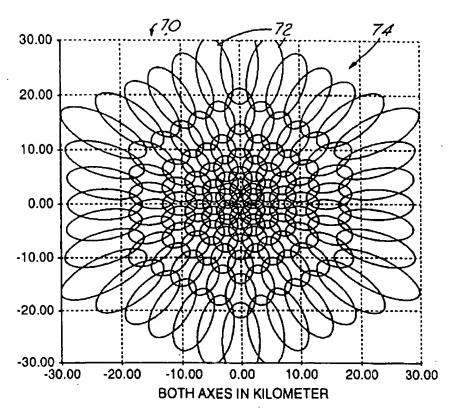
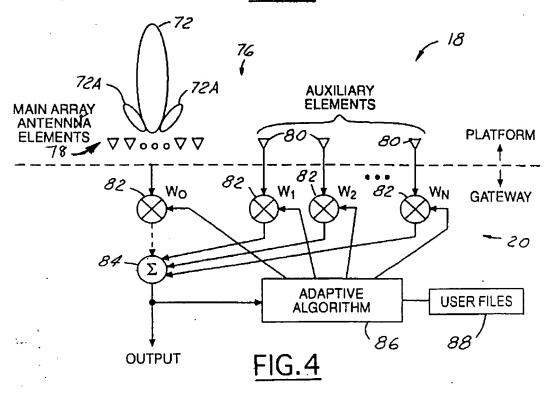


FIG.3



Customer No. 020991

Patent PD-200101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

: Date: December 18, 2003

DONALD C. D. CHANG, et al.

Serial No. 09/661,725

: Group Art Unit: 2683

Filed: September 14, 2000

: Examiner: Torresw, Marcos L.

For: STRATOSPHERIC-BASED

COMMUNICATION SYSTEM FOR MOBILE USERS USING ADDITIONAL PHASED ARRAY ELEMENTS FOR INTERFERENCE REJECTION

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. 1.97(c) WITH PAYMENT OF FEE UNDER 37 C. F.R. 1.17 (p)

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

The attention of the Office is drawn to the references listed on the accompanying PTO-1449 form (copies enclosed).

This Information Disclosure Statement is not to be construed as a representation that a search has recently been made, that additional information material to the examination of this application does not exist, or that this citation constitutes prior art.

Serial No. 09/661,725 . .

. Page 2

PAYMENT OF FEE SET FORTH IN § 1.17 (p)

Please charge Deposit Account No. 50-0383 of Hughes Electronics Corporation, El Segundo, California, in the amount of \$180.00. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to that account. This form is being submitted in duplicate.

Respectfully submitted, DONALD C. D. CHANG, et al

By: Vicayalahaha D. Duraiswamy

Attorney for Applicant Registration No. 31,505

Enclosure: Form PTO-1449 w/references HUGHES ELECTRONICS CORPORATION RE/R11/A109 P.O. Box 956 El Segundo, CA 90245-0956 (310) 964-0733

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Applicant DONALD C. D. CHANG ET.AL	
(Use several sheets if necessary)	Filing Date September 14, 2000	Group 2683

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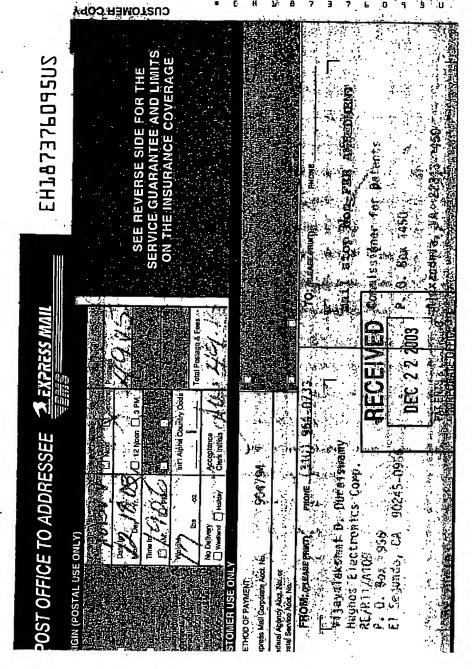
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- 3. SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT W/FEE AUTHORIZATION (in duplicate)
- 4. FORM PTO-1449 WITH REFERENCES
- 5. POSTCARD RECEIPT

In re: Patent Application of Donald C. D. Chang, et al

Serial No.: 09/661,725 Filed: September 14, 2000

For: STRATOSPHERIC-BASED COMMUNICATIONS SYSTEM FOR INTERFERENCE
USING ADDITIONAL PHASED ARRAY ELEMENT FOR INTERFERENCE
REJECTION

PD-200101

Attorney: V. D. Duraiswamy

Mailed: December 18, 2003 via EXPRESS MAIL # EH187376095US

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